

REMARKS

In the Office Action¹ mailed May 9, 2007, the Examiner objected to claims 2 and 3 due to informalities; rejected claims 1-6, 8, and 9 under 35 U.S.C. § 103(a) as being unpatentable over Sano in view of Liang et al. (U.S. Patent No. 5,790,131, hereafter "Liang"); and rejected claim 7 under 35 U.S.C. § 102(a) as being anticipated by Sano et al. (U.S. Patent Application Publication No. 2003/0002742, hereafter "Sano").

With this Response, Applicant amends claims 2, 3, and 7. Claims 1-9 remain pending with claims 1, 4, and 7 being independent.

Regarding the objection to claims 2 and 3, Applicant has amended claims 2 and 3 as suggested by the Examiner. Accordingly, Applicant respectfully request withdrawal of the objection to claims 2 and 3.

Applicant respectfully traverses the rejection of claims 1-6, 8, and 9 under 35 U.S.C. § 103(a) as being unpatentable over Sano in view of Liang.

Claim 1 recites an encoder comprising, for example, "filtering generation means for generating a filtering coefficient by performing a filtering process on inputted picture data; division means for dividing the filtering coefficient into plural bit planes . . . ; read control means for removing a predetermined number of bit planes among the bit planes, from a lower side . . . ; and a plurality of encoding means . . . , wherein the read control means determines the predetermined number of the removed bit planes, so that a quantity of generated codes per frame is kept constant when each of the encoding

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

means performs the encoding.” (Emphasis added). Sano and Liang, taken either along or in any combination, fail to teach at least the read control means.

The Examiner acknowledged, “Sano et al. fails to teach the application of the ‘read control means’ being able to determine ‘a predetermined number of bit planes’ to remove from the bit planes ‘so that a quantity of generated codes per frame is kept constant.’” (Office Action at page 10.) However, the Examiner relied on Liang as disclosing the claimed read control means.

Liang discloses, “[t]he size of the compressed representations generated by the compressor are measured and used with the cost parameters for a parameterized non-linear relationship between cost parameter $[\lambda]$ and compressed representation sizes. The parameters may be used to adjust the cost parameter so the compressor generates compressed representations that correspond to a target [file] size.” (Abstract). Accordingly, Liang merely teaches adjusting the cost parameter to generate compressed representation of a target file size.

Liang therefore does not disclose a “read control means for removing a predetermined number of bit planes among the bit planes,” as recited in claim 1. Specifically, “the bit planes,” as claimed, are obtained by dividing “the filtering coefficients,” which are generated “by performing a filtering process on inputted picture data,” and Liang is lacking this feature. Independent claim 1 is thus allowable.

Independent claims 4 and 7, while of different scope from claim 1, distinguish over Sano and Liang for at least the same reasons as claim 1. Claims 2, 3, 5, 6, 8, and

9 depend respectively from claims 1, 4, and 7, and are also allowable at least due to their dependence.

Applicant respectfully traverses the Examiner's rejection of claim 7 under 35 U.S.C. § 102(a) as being anticipated by Sano.

For at least the same reasons discussed above, Sano fails to teach each and every element of amended claim 7. Accordingly, amended claim 7 distinguishes over Sano.

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: July 5, 2007

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